Reasonable Modification

The United States Department of Transportation recently issued a final ruling clarifying that public transportation providers are required to make “Reasonable Modifications” as part of their policies, practices, and procedures to avoid discrimination and ensure that programs and services are accessible to individuals with disabilities.

Clallam Transit System (CTS) currently makes every effort to accommodate a passenger request but this ruling will change how CTS does business in some regards. A “Reasonable Modification” must be granted; however, the request may be denied only on one or more of the following grounds:

1. Granting the request would fundamentally alter the nature of CTS’s services, programs, or activities.
2. Granting the request would create a direct threat to the health or safety of others.
3. Without the requested modification, the individual with a disability is able to fully use the service.
4. Granting the request would cause an undue financial or administrative burden, if the transit agency receives federal assistance.

If a Reasonable Modification Request is denied the denial must be documented on the “Request for Reasonable Modification Form.”

Here are some examples of requests for modification that may be granted or denied:

Type of service	Grant Modification	Deny Modification
All	Helping individuals when there are extreme conditions like snow & ice	If extreme conditions posing a direct threat to the driver or others
All	Handling fare media	Reaching into a pocket, purse, backpack, or similar devices which may contain a fare media
All	Allowing eating or drinking on the vehicle to avoid “adverse health consequences”	Open container
All	Allowing individual to take medication including insulin	Employees administering medication, shots, performing

	injections & finger stick blood glucose testing	mechanical intervention on a ventilator
All	Passengers boarding separately from their wheelchair	If it poses a direct threat to the employee or others
All	Allowing two personal attendants when request is a validated by need	The employee providing personal care attendant services (other than in the normal functions of the position)
Paratransit	Passenger may want to get picked up at a different location other than the front door of their house or the facility	
Fixed Route	Passenger requests to be dropped off at an area free from an obstruction	Deviate off route (unless on Route 52)
Paratransit	Opening the door for the passenger. (Paratransit is door to door service)	Customer request that you go into a residence or facility

Here is an additional list of other items that is not a “Reasonable Modification Request”:

Common feedback on our performance, comments on agency plans, complaints about the service, or request for increased service. The following are common examples of customer interactions that are not reasonable modification requests:

- A request for a new bus stop
- A request for new or additional service
- Complaints about on time performance
- A complaint about an employee’s performance
- Where is the bus or van?
- A paratransit customer requesting a dedicated vehicle
- A paratransit customer requesting an exclusive trip

- Operating any of our service outside CTS's normal service hours or service area
- Customer requests assistance in boarding or deboarding a stroller. **Stroller is not indicative of a disability, deny request**
- A paratransit customer has a cast on their leg and requested driver to assist down multiple stairs from an apartment. **Due to potential risk of injury to the driver and customer, deny request**
- A paratransit customer request not to ride with a specific customer or driver
- Customer request that the employee take charge of their service animal. **Deny request**
- A customer request for a free ride as a reasonable modification. **This would constitute a fundamental alteration of the service, deny request**

Here is some other Reason Modifications Request that may be granted:

- Customer request that the employee move/remove personal bags from wheelchair in order to enable the proper securement of the wheelchair. **Do unless too heavy**
- Customer request employee to move/remove personal bags from the wheelchair in order to enter or exit the vehicle. **Do unless too heavy**
- A fixed route customer in a wheelchair requests not to use a seat belt. **Grant request and note the request on your trip sheet**
- A sight impaired customer request assistance at a transit center with boarding, deboarding, getting to a particular bus at the transit center. **Assistance with boarding or deboarding, assistance with finding the bus as long as it does not make the route late.**
- A customer may request to drink juice or eat a candy bar due to a medical condition. **Grant request**

As a matter of course, paratransit customers Reasonable Modifications request will be part of the application process or during the reservation process when interacting with CTS's Customer Service Representatives. If you have any questions on what is a reasonable modification request, please contact Dispatch or an Operations Supervisor.